

## **Program A: Traffic Enforcement**

Program Authorization: R.S. 32:1504-1517; R.S. 32:1711 et seq.; R.S. 40:1379.8; R.S. 51:579

### **Program Description**

The mission of the Traffic Enforcement Program in the Office of State Police is to ensure the safety and security of the people in the state through enforcement, education, and provision of other essential public safety services.

The goals of the Traffic Law Enforcement Program in the Office of State Police are:

1. Become better partners with the public through community policing.
2. Ensure that all patrol personnel are provided the safest and most advanced equipment technologically available.
3. Promote safer transportation of hazardous materials.
4. Ensure that motor vehicle operators possess a valid driver's license, vehicles are properly inspected, and motorist maintain liability insurance. Additionally, driver's license and title fraud will be thoroughly investigated.

The Traffic Enforcement Program includes the following activities: Troop Traffic Enforcement and Transportation and Environmental Safety Section.

>Troop Traffic Enforcement essentially was established by Act 120 of 1922, which created the Office of the State Police and charged it with enforcing laws regulating the use of highways. Troopers assigned to troop locations are responsible for promoting highway safety through education and enforcement of the Highway Regulatory Act in addition to enforcing all criminal laws. Their primary duties include investigating vehicle crashes and protect the public both on and off the highway. (For a comparison of traffic trooper manpower in southeastern states, see the table under the Office of State Police agency description.)

>The Transportation and Environmental Safety Section (TESS) of the Traffic Enforcement Program enforces regulations and requirements related to hazardous materials, motor carrier safety, towing and recovery, metal control, and explosives control, and weights and standards.

\*Hazardous Materials Reporting: The federal Hazardous Materials Information, Development, Preparedness and Response Act and the Superfund Amendments and Reauthorization Act (SARA) require that regulated businesses report on an annual basis the presence of hazardous substances at their places of business. These acts require the reporting of any releases of these substances into the environment. The TESS Right-to-Know Unit, functioning as the repository of this data, is charged with the collection, maintenance, and coordination of all data required by these acts and with ensuring public availability of this data as required by law.

\*Transportation of Hazardous Materials: Act 83 of 1979 authorizes and directs the Department of Public Safety to promulgate necessary rules and regulations and to oversee compliance governing the transportation of hazardous materials, freight, and passengers. The unit provides emergency response to chemical emergencies at industrial sites or sites related to transportation by highway, rail or pipeline. It further ensures that all carrier transportation meet standards of safe operation, manufacture, and maintenance. This is accomplished by roadside inspections conducted on commercial transport vehicles that transport hazardous freight, material, and passengers and by inspections of rail transportation facilities.

## **Program A: Traffic Enforcement**

\*Motor Carrier Safety: The Motor Carrier Safety Program is an international, coordinated, and uniform program of inspection and enforcement activities related to intrastate and interstate commercial vehicles and drivers for safety violations. The program is designed to immediately place defective drivers and defective vehicles out of service, if necessary, until defects have been corrected. The agenda provides for safety and compliance reviews of transportation facilities, as mandated by federal rule. The laws governing the program allow for the assessment of civil penalties. One of the unit's major goals is to begin accident report development and revisions to correlate commercial accident data with motor carrier safety.

\*Right-To-Know: Act 435 of 1985 provides for the creation of the Hazardous Materials Information Development Preparedness and Response Advisory Board; provides administrative functions for the Department of Public Safety and Corrections; provides requirements for certain owners and operators of certain businesses to report information about certain hazardous materials; and creates the Hazardous Materials Information and Development Preparedness and Response Fund to be used to provide the functions as outlined in the act. Towing and Recovery: R.S. 32:1711 et. seq. authorizes the TESS Towing and Recovery Unit to regulate towing and wrecker industry and provide rules and regulation pertaining to the towing and storage of vehicles. The unit monitors and regulates the industry statewide.

\*Metal Control: Under the authority of R.S. 51:579, the TESS is responsible for maintenance of records concerning all sales and purchases of certain precious metals. This is accomplished through the monitoring of the scrap and metal dealers in the state to ensure that proper records are kept.

\*Explosives Control: Under the authority of R.S. 40:147, the TESS is responsible for inspection of explosive materials storage magazines and investigation of theft or illegal possession of explosives. The TESS also provides specialized technical expertise and equipment (specifically bomb technicians who can defuse and dispose of a bomb) to local governments that may be confronted with the illegal use of explosives.

\*Emergency Response Training Center: The Emergency Response Training Center is located in Holden, LA. This center is tasked with training both government and private industry personnel in hazardous material response techniques.

\*Weights and Standards: Under the authority of R.S. 40:1379.8, the TESS is responsible for enforcing weight, size, vehicle license and fuel tax regulations on all state and federal highways. The Safety Enforcement Section is comprised of commissioned police officers who are responsible for ensuring that all Louisiana motor vehicle inspection stations are inspected. Department of Public Safety (DPS) Police provide security and law enforcement for buildings including the barracks that house prison inmate trustees. Additionally, the DPS Capitol police provide security and law enforcement needs for the State Capitol Complex, Governor's Mansion and other buildings in the capitol area.

\*Police protection for the Governor: Act 681 of 1988 requires the State Police to provide and maintain the security for the Governor, his office, the mansion, his immediate family, and other persons authorized by the Governor. Currently, the Office of State Police also provides protection for the Lieutenant Governor.

\*Department of Public Safety Police - Capitol Security

## RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 2001-2002	ACT 13 2002-2003	EXISTING 2002-2003	CONTINUATION 2003-2004	RECOMMENDED 2003-2004	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$4,370,473	\$985,930	\$985,930	\$1,150,245	\$0	(\$985,930)
STATE GENERAL FUND BY:						
Interagency Transfers	1,445,311	4,375,151	4,615,673	4,575,151	4,907,470	291,797
Fees & Self-gen. Revenues	3,575,273	5,449,541	7,270,103	10,067,678	8,203,444	933,341
Statutory Dedications	42,273,216	50,592,089	50,503,034	50,626,472	47,526,348	(2,976,686)
Interim Emergency Board	26,864	0	40,469	0	0	(40,469)
FEDERAL FUNDS	2,522,102	3,528,913	4,528,913	3,528,913	3,528,913	(1,000,000)
TOTAL MEANS OF FINANCING	<b>\$54,213,239</b>	<b>\$64,931,624</b>	<b>\$67,944,122</b>	<b>\$69,948,459</b>	<b>\$64,166,175</b>	<b>(\$3,777,947)</b>
EXPENDITURES & REQUEST:						
Salaries	\$32,819,205	\$43,487,654	\$42,272,974	\$45,049,811	\$44,774,513	\$2,501,539
Other Compensation	55,017	78,491	78,491	78,491	78,491	0
Related Benefits	4,985,361	5,084,809	4,812,904	5,756,086	5,464,102	651,198
Total Operating Expenses	9,671,752	4,983,202	5,039,815	4,656,409	4,530,917	(508,898)
Professional Services	82,749	490,528	15,387	15,387	15,387	0
Total Other Charges	1,386,770	6,337,255	9,853,452	9,892,275	5,302,765	(4,550,687)
Total Acq. & Major Repairs	5,212,385	4,469,685	5,871,099	4,500,000	4,000,000	(1,871,099)
TOTAL EXPENDITURES AND REQUEST	<b>\$54,213,239</b>	<b>\$64,931,624</b>	<b>\$67,944,122</b>	<b>\$69,948,459</b>	<b>\$64,166,175</b>	<b>(\$3,777,947)</b>
AUTHORIZED FULL-TIME						
EQUIVALENTS: Classified	946	946	939	939	936	(3)
Unclassified	2	3	3	3	3	0
<b>TOTAL</b>	<b>948</b>	<b>949</b>	<b>942</b>	<b>942</b>	<b>939</b>	<b>(3)</b>

## SOURCE OF FUNDING

This program is funded with State General Fund, Interagency Transfers, Fees and Self-generated Revenues, Statutory Dedications, Interim Emergency Board, and Federal Funds. The Interagency Transfers are federal grants for specialized traffic enforcement from the Highway Safety Commission, Department of Transportation and Development, and the Department of Environmental Quality; from Department of Natural Resources for enforcement of the underground facilities damage prevention law; for security expenses from various state agencies housed in the Capitol Complex area. The Fees and Self-generated Revenues are primarily from a \$5.50 assessment of all motor vehicle inspections and other motor vehicle fees. Other significant Fees and Self-generated Revenues are from fees and fines from the Hazardous Materials Transportation and Motor Carrier Safety Program. The Statutory Dedications are derived from the Louisiana Towing and Storage Fund (R.S. 32:1714), Riverboat Gaming Enforcement Fund (R.S. 27:92), Transportation Trust Fund (Article 7, Section 27 of the Louisiana Constitution), Right to Know Fund (R.S. 30:2373), Weights & Standards Mobile Police Fund (R.S. 32:38), Hazardous Materials Emergency Response Fund (R.S. 32:1522), Explosive Trust Fund (R.S. 40:1472.20), Tobacco Tax Health Care Fund R.S. 47:841(b)(4) and (5) and the Louisiana State Police Salary Fund (R.S. 22:1065(A). Per R.S. 39:36B.(8), see table below for a listing of each statutory dedicated fund. Federal Funds are from the Department of Transportation for the Motor Carrier Safety Program and the Environmental Protection Agency for emergency response activities.

	<b>ACTUAL</b>	<b>ACT 13</b>	<b>EXISTING</b>	<b>CONTINUATION</b>	<b>RECOMMENDED</b>	<b>RECOMMENDED</b>
	<b>2001-2002</b>	<b>2002-2003</b>	<b>2002-2003</b>	<b>2003-2004</b>	<b>2003-2004</b>	<b>OVER/(UNDER)</b>
						<b>EXISTING</b>
Louisiana Towing and Storage Fund	\$280,845	\$418,093	\$418,093	\$418,093	\$618,093	\$200,000
Riverboat Gaming Enforcement Fund	\$218,491	\$425,296	\$202,341	\$0	\$0	(\$202,341)
Transportation Trust Fund - Regular	\$39,841,259	\$39,878,524	\$40,012,424	\$40,012,424	\$39,692,603	(\$319,821)
Right to Know Fund	\$441,332	\$868,376	\$868,376	\$500,000	\$500,000	(\$368,376)
Weights and Standards Mobile Police Force Fund	\$1,350,365	\$0	\$0	\$0	\$0	\$0
Hazardous Materials Emergency Response Fund	\$115,129	\$115,129	\$115,129	\$115,129	\$115,129	\$0
Explosives Trust Fund	\$25,795	\$25,795	\$25,795	\$25,795	\$25,795	\$0
Tobacco Tax Health Care Fund	\$0	\$3,200,773	\$3,200,773	\$3,200,773	\$0	(\$3,200,773)
Louisiana State Police Salary Fund	\$0	\$5,660,103	\$5,660,103	\$6,354,258	\$6,574,728	\$914,625

## MAJOR FINANCIAL CHANGES

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
<b>\$985,930</b>	<b>\$64,931,624</b>	<b>949</b>	<b>ACT 13 FISCAL YEAR 2002-2003</b>
			<b>BA-7 TRANSACTIONS:</b>
\$0	\$541,936	0	Carryforward funding for police vehicles and equipment
\$0	(\$450,000)	(7)	Realign salaries expenditures and T.O. with the Criminal Program
\$0	\$1,000,000	0	Federal funds for car camera system
\$0	\$1,920,562	0	Off-duty overtime payments from private vendors and local governments
<b>\$985,930</b>	<b>\$67,944,122</b>	<b>942</b>	<b>EXISTING OPERATING BUDGET - December 2, 2002</b>
\$0	\$499,760	0	Annualization of FY 2002-2003 Classified State Employees Merit Increase
\$0	\$348,840	0	Classified State Employees Merit Increases for FY 2003-2004
\$0	\$4,000,000	0	Acquisitions & Major Repairs
\$0	(\$5,469,685)	0	Non-Recurring Acquisitions & Major Repairs
\$0	(\$501,467)	0	Non-Recurring Carry Forwards
\$0	(\$40,469)	0	Non-Recurring Interim Emergency Board
\$0	\$694,406	0	Salary Base Adjustment
\$0	(\$807,299)	0	Attrition Adjustment
\$0	\$605,641	0	Group Insurance Adjustment
\$0	\$1,920,562	0	Annualization of off-duty overtime payments from private vendors and local governments
\$0	\$64,576	0	Training Series Adjustments
\$0	(\$368,376)	0	Non-recurring Right-to-Know revenue
\$0	(\$173,749)	(3)	Transfer aviation expenses to Operational Support Program
\$0	(\$4,550,687)	0	Transfer risk management premiums to Operational Support Program
(\$985,930)	\$0	0	Net Means Of Financing Substitutions - replace General Fund with Statutory dedication from State Police Salary Fund
<b>\$0</b>	<b>\$64,166,175</b>	<b>939</b>	<b>TOTAL RECOMMENDED</b>
<b>\$0</b>	<b>\$0</b>	<b>0</b>	<b>LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS</b>
<b>\$0</b>	<b>\$64,166,175</b>	<b>939</b>	<b>BASE EXECUTIVE BUDGET FISCAL YEAR 2003-2004</b>

**MAJOR FINANCIAL CHANGES**

<b>GENERAL FUND</b>	<b>TOTAL</b>	<b>T.O.</b>	<b>DESCRIPTION</b>
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$0	\$0	0	None
<b>\$0</b>	<b>\$0</b>	<b>0</b>	<b>TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE</b>
<b>\$0</b>	<b>\$64,166,175</b>	<b>939</b>	<b>GRAND TOTAL RECOMMENDED</b>

## **PROFESSIONAL SERVICES**

\$5,400	Physicals for troopers and bomb technicians assigned to Hazardous materials/Explosives section
\$9,987	Physicals for capitol security police
<b>\$15,387</b>	<b>TOTAL PROFESSIONAL SERVICES</b>

**OTHER CHARGES**

\$140,522	Technology Innovation
\$2,421,093	Motor Carrier Safety Enforcement
\$1,646,919	Federal grants for hazardous materials enforcement
\$114,898	Protective gear for emergency response

**\$4,323,432 SUB-TOTAL OTHER CHARGES**

**Interagency Transfers:**

\$406,172	Transferred to Management & Finance for printing, dues/subscriptions, postage, telephone, etc.
\$4,999	HMTUSA grant
\$568,162	Transferred to the Donald J. Thibodeaux Training Academy for in-service training

**\$979,333 SUB-TOTAL INTERAGENCY TRANSFERS**

**\$5,302,765 TOTAL OTHER CHARGES**



**ACQUISITIONS AND MAJOR REPAIRS**

\$3,907,352	Replacement vehicles (180)
\$92,648	Replacement equipment for troops and regional offices (law mowers, in-car cameras, generators, etc.)
<b>\$4,000,000</b>	<b>TOTAL ACQUISITIONS AND MAJOR REPAIRS</b>